

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WILLBER DARIO ADAMES,)
Petitioner,)
v.)
THOMAS M. HODGSON,)
Respondent.)
)

Civil Action No.
15-14162-NMG

ORDER

GORTON, J.

For the reasons set forth below, the Court dismisses this action.

On December 14, 2015, Willber Dario Adames filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241. At the time, Adames was an immigration detainee confined at the Bristol County Jail and House of Correction in North Dartmouth, Massachusetts. The petitioner claimed that his continued detention pending removal to the Dominican Republic violated his right to due process. See Zadvydas v. Davis, 533 U.S. 678, 689-701 (2001).

Adames filed the petition without paying the \$5.00 filing fee or seeking a waiver thereof. In an order dated December 17, 2015, the Court required him to pay the fee or file a motion for leave to proceed in forma pauperis. The Court warned the petitioner that failure to comply with the order within 21 days could result in dismissal of the action without prejudice.

The 21 day period for resolving the filing fee has passed without any response from the petitioner. In light of the petitioner's failure to resolve the filing fee, the Court orders

that this action be DISMISSED WITHOUT PREJUDICE.¹

So ordered.

/s/ Nathaniel M. Gorton
Nathaniel M. Gorton
United States District Judge

Dated: January 12, 2016

¹ Further, it appears that this action is moot. On January 7, 2015, the copy of the December 17, 2015 order that had been mailed to the petitioner was returned to the Clerk as undeliverable. The Court has since been informed by United States Immigration and Customs Enforcement that the petitioner has been removed to the Dominican Republic.